

Application No.: 10/725,929  
Amendment Dated: September 7, 2006  
Reply to Office Action of: June 7, 2006

MTS-3580US

**Remarks/Arguments:**

Claims 1, 3 and 5-17 have been amended. Claim 21 has been added. No new matter is introduced herein. Claims 2 and 4 have been cancelled. Claims 1, 3 and 5-21 are pending.

Support for the amendments to claims 1 and 9-14 can be found in the original specification, for example, p. 17, line 16-p. 18, line 14 and Fig. 1 (extracting and recording parameter information); p. 12, line 10-p. 15, line 17 and Fig. 2 (the parameter information file including a location indicator and reproduction parameters for each of the plurality of data files); p. 19, line 9-p. 20, line 7, p. 23, lines 3-12 and Figs. 1 and 2 (reproducing one of a plurality of data files by using the corresponding location indicator and reproduction parameters in the parameter information file); and p. 11, lines 14-16 and Fig. 1 (a recording medium for holding a plurality of data files). Claims 3, 5-8 and 15-17 have also been amended to clarify the language.

Paragraph 2 of the Office Action recites that the Patent Applications to Nonaka et al. and Kato et al., submitted by Applicants in an IDS on 5/11/2006, were not considered because these documents could not be retrieved. Applicants respectfully point out that Nonaka et al. can be retrieved as U.S. 2001/0026504 and Kato et al. can be retrieved as U.S. 2002/0164152. Applicants respectfully request that the Examiner consider these references.

In paragraph 3 of the Office Action, errors were noted in the specification. In particular, minor spacing errors were noted. Accordingly, Applicants have reviewed and amended the Specification for typographical errors. No new matter is introduced herein.

Claims 4 and 8 have been objected to as being in improper multiple dependent form. Claim 4 has been cancelled. Claim 8 has been amended to depend from any one of claims 1 and 3. Applicants note that, according to MPEP §608.01(n), this is an acceptable form. Accordingly, Applicants respectfully request that the objection to claims 4 and 8 be withdrawn.

Claim 9 has been objected to because of informalities in the claim language. Claim 9 has been amended to clarify the language. Accordingly, Applicants respectfully request that the objection to claim 9 be withdrawn.

Claims 1-7 and 9-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hancock (WO 02/41319), referred to as Nuys in paragraph 7 of the Office Action, in view of Kimura et al. (U.S. Pat. No. 6,665,690). Claims 2 and 4 have been cancelled. It is respectfully submitted, however, that the remaining claims are now patentable over the cited art for the reasons set forth below.

Claim 1 as amended, includes features neither disclosed nor suggested by the cited art, namely:

...a record medium for holding a plurality of data files...

...a recording apparatus including a parameter extractor for extracting parameter information associated with each of the plurality of data files and recording the parameter information in the record medium as a parameter information file, the parameter information file including a location indicator and reproduction parameters for each of the plurality of data files...

...a reproducing apparatus including a data reproducer for reproducing one of the plurality of data files by using the corresponding location indicator and the corresponding reproduction parameters in the parameter information file... (Emphasis Added).

Hancock discloses, in Fig. 9, a file format and recording method that uses a separate directory record for each audio file on the recording medium (page 22, lines 4-7). Hancock further discloses, in Figs. 11-13, a volume structure that includes a system area 1102 to read organization information from the recording medium and a data area 1104 that includes media data (p. 10, line 24-p. 12, line 12). Hancock does not disclose or suggest Applicants' claimed features of "a parameter extractor for extracting parameter information associated with each of the plurality of data files and recording the parameter information... as a parameter information file... including a location indicator and reproduction parameters for each of the plurality of data files" or "a data reproducer for reproducing one of the... data files by using the corresponding location indicator and the corresponding reproduction parameters in

the parameter information file" (emphasis added). These features are neither disclosed nor suggested by Hancock. Hancock does not disclose or suggest that a parameter information file is provided that includes a location indicator and reproduction parameters for each of the plurality of data files. Because Hancock is silent regarding data reproduction, Hancock cannot disclose or suggest that a reproducing apparatus reproduces a data file by using a corresponding location indicator and reproduction parameters in the parameter information file. Thus, Hancock does not disclose or suggest all of the features of claim 1.

Kimura et al. disclose a file format system such that a user sets the lengths of allocation extents of data of a file to be recorded onto a disk before the data are recorded onto the disk. Kimura et al. further disclose that the data can be recorded and reproduced where the length of allocation extent is comparatively long (col. 4, lines 24-32). However, Kimura et al. do not make up for the features that are lacking in Hancock, namely, a "parameter information file including a location indicator and reproduction parameters for each of the plurality of data files" or reproducing a data file "by using the corresponding location indicator and the corresponding reproduction parameters in the parameter information file." Accordingly, allowance of claim 1 is respectfully requested.

Claims 3 and 5-7 include all of the features of claim 1 from which they depend. Accordingly, claims 3 and 5-7 are also patentable over the cited art.

Amended independent claims 9-14, although not identical to claim 1, include similar features neither disclosed nor suggested by the cited art. Namely, 1) a parameter information file that includes a location indicator and reproduction parameters for each of a plurality of data files or 2) reproducing a data file by using a corresponding location indicator and corresponding reproduction parameters in the parameter information file. As discussed above, these features are neither disclosed nor suggested by the cited art. Accordingly, allowance of claims 9-14 is respectfully requested.

Claims 15-20 include all of the features of respective claims 12-14 from which they depend. Accordingly, claims 15-20 are also patentable over the cited art.

Application No.: 10/725,929  
Amendment Dated: September 7, 2006  
Reply to Office Action of: June 7, 2006

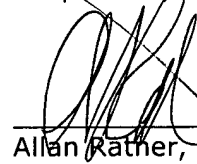
MTS-3580US

Claim 8 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Hancock in view of Kimura et al. and further in view of Ohnuma et al. (U.S. 2003/0012549). Claim 8, however, includes all of the features of claim 1 from which it depends. Ohnuma et al. do not make up for the features that are lacking in Hancock and Kimura et al. Accordingly, claim 8 is also patentable over the cited art.

Claim 21 has been added. No new matter is introduced herein. Support for claim 21 can be found, for example, page 20, lines 4-7. New claim 21 includes all the features of claim 1 from which it depends. Accordingly, claim 21 is patentable over the cited art.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



Allan Rather, Reg. No. 19,717  
Attorney for Applicants

DMG/fp/ds

Dated: September 7, 2006

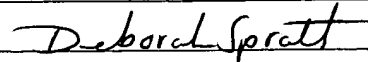
P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

September 7, 2006

Deborah Spratt



FP\_59399